

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-MJ-02348-RN

UNITED STATES OF AMERICA

v.

SHARMANDRA A. VASQUEZ,
Defendant.

ORDER

The Government has filed a motion seeking reconsideration of the court's February 12, 2015 Order granting Defendant's Motion to Determine Competency of Defendant. [D.E. 11, 12]. In its Motion for Reconsideration, the Government argues that it opposes the Defendant's motion for a competency evaluation under 18 U.S.C. § 4241 due to a lack of factual foundation and does not intend to file a corresponding motion pursuant to 18 U.S.C. § 4242 at this time. The court held a hearing on this motion on February 18, 2015 at the United States District Court for the Eastern District of North Carolina in Raleigh.

Upon consideration of the Defendant's evidence offered during this hearing and the Government's decision to withdraw its objection to Defendant's motion under 18 U.S.C. § 4241, the court amends its order of February 12, 2015 to reflect the following:

1. The court **ALLOWS** the Government's Motion for Reconsideration to eliminate reference to the Government's motion for an order requiring Defendant to submit to an examination pursuant to 18 U.S.C. § 4242. The Government has not entered a motion under § 4242 in this case.

2. The Government has withdrawn its opposition to Defendant's motion for a competency evaluation pursuant to 18 U.S.C. § 4241. Accordingly, the court DENIES the Government's Motion for Reconsideration as to this element of the court's February 12, 2015 order.

3. All other directives in the court's order of February 12, 2015 remain in effect.

Dated: February 20, 2015.

A handwritten signature in black ink, reading "Robert T. Numbers, II". The signature is written in a cursive style with a horizontal line underneath the name.

ROBERT T. NUMBERS, II
UNITED STATES MAGISTRATE JUDGE